

09/898,279
Office Action dated: Nov. 5, 2003
Response dated May 5, 2004 (re-submittal June 8, 2004)

Based on the foregoing, it is submitted that claims 1 and 8 are patentably distinct from Ng and Goldberg. In addition, it is submitted that dependent claims 2, 4, 5, 7, 9, 11-18 are also patentably distinct for at least the same reasons. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from Ng and/or Goldberg. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 1, 2, 4, 5, 7-9 and 11-18 under 35 USC §103(a).

Moreover, although fully distinguished on the merits above, it is noted that Goldberg is believe to be effective as prior art under 35 USC §102(e) as of February 26, 1999, which is subsequent to the filing date of the present application.

SUMMARY

It is submitted that the Restriction Requirement is not only improper but late. It is also submitted that claims 1, 2, 4, 5, 7-9 and 11-18 (as well as claims 39-44, 47-50 and 52-66) are patentably distinct from the cited references. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0805 (Order No. ATCP97-1A).

Respectfully submitted,
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